

HILL, BETTS & NASH LLP

Attorneys for Defendant

ONE WORLD FINANCIAL CENTER
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NEW YORK, NY 10281
(212) 839-7000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHARLES MELENDREZ ,

Index No.: 08-3820

Plaintiff,

ANSWER

-against-

SEALIFT, INC.,

Defendant.
-----X

Defendant, by its attorneys HILL, BETTS & NASH LLP, as and for its Answer to the Complaint herein alleges upon information and belief as follows:

1. Denies the allegations contained in paragraph 1 of the Complaint and refers all questions of law to the Court.
2. Denies knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in paragraph 2 of the Complaint and refers all questions of law to the Court.
3. Denies that Plaintiff served as an employee of Defendant and denies knowledge or information sufficient to form a belief as to the truth or veracity of the remaining allegations contained in paragraph 3 of the complaint, except admits that on December 24, 2007 Plaintiff was a crew member of the S/S WILSON.
4. Denies the allegations contained in paragraph 4 of the Complaint.
5. Denies the allegations contained in paragraph 5 of the Complaint.

6. Denies the allegations contained in paragraphs 6, 6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6i of the Complaint.

AS AND FOR A FIRST DEFENSE

7. If Plaintiff was injured in the manner and for the reasons alleged in the Complaint, which is denied, Plaintiff's injuries were caused and or brought about in whole or in part by his own negligence, fault, or lack of care, or by the negligence, fault or lack of care of others for whose negligence, fault or lack of care defendant is not responsible.

AS AND FOR A SECOND DEFENSE

8. If there is found to be any liability on the part of defendant, which is denied, then Defendant claims the benefits of the provisions of the Shipowner's Limitation of Liability Statutes 46 USC§30505 *et seq.*

AS AND FOR A THIRD DEFENSE

9. Plaintiff's claim is barred by laches or the applicable Statute of Limitations.

AS AND FOR A FOURTH DEFENSE

10. The complaint fails to state a claim upon which relief can be granted.

AS AND FOR A FIFTH DEFENSE

11. Whatever injuries Plaintiff may have sustained at the time and place alleged in the complaint were caused solely, or contributed to, by acts or omissions of third parties over whom Defendant exercised no control.

AS AND FOR A SIXTH DEFENSE

12. To the extent Plaintiff may have sustained any injuries, which is denied, such injuries existed, in whole or in part, prior to the incident alleged in the First Amended Verified Complaint.

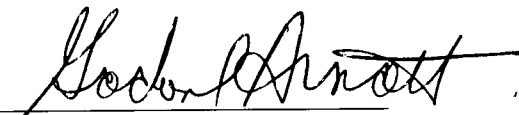
AS AND FOR A SEVENTH DEFENSE

13. Venue is improper.

WHEREFORE, Defendant demands judgment dismissing the Complaint together with the costs and disbursements of this action and for such further and other relief as the Court deems just and proper.

Dated: New York, New York
June 10, 2008

HILL, BETTS & NASH LLP

By 

Gordon S. Arnott (GSA -8612)

Gregory O'Neill (GON-1944)

Attorneys for Defendant

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AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

SUZANNE SAPORITO, being duly sworn deposes and says, I am not a party to the action and over 18 years of age. That on the 11th day of June 2008, she served the attached ANSWER upon:

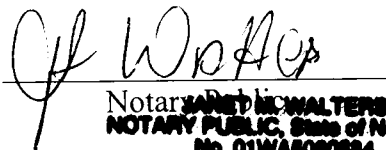
O'Bryan Baun Cohen Kuebler Karamanian
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(248) 258-6262

Robert E. Ashkin
Local Counsel for Plaintiff
580 Broadway, Suite 906
New York, NY 10012

by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name.


SUZANNE SAPORITO

Sworn to before me this
11th day of June 2008



Notary Public
SARAH M. WALTERS
NOTARY PUBLIC, State of New York
No. 01WA508084
Qualified in Kings County
Commission Expires 7-2-11